

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ALLISON KOWALSKI, Individually	:	CIVIL ACTION NO. 4:12-cv-1158
and as Administrator of the	:	
ESTATE OF MARK KOWALSKI,	:	
Deseased	:	
	:	
Plaintiff	:	(Chief Judge Kane)
	:	(Magistrate Judge Blewitt)
v.	:	
	:	
PBM LOGISTICS, LLC, PATRICK L.	:	
WEBB, PATTI PYATT, XTRA LEASE,	:	
REPUBLIC NATIONAL INDUSTRIES	:	
OF TEXAS, LP, AND TENCO	:	
TRANSPORTATION, LLC.	:	
	:	
Defendants	:	

ORDER

Before the Court in the above-captioned action is an August 6, 2012 report of the Magistrate Judge. No timely objections have been filed.

AND NOW, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

1) The Court adopts the Report and Recommendation of Magistrate Judge Blewitt.

2) The Plaintiff's Motion to Remand (Doc. No. 2), is **GRANTED**. The case is **REMANDED** to the Court of Common Pleas of Lackawanna County, Pennsylvania. Defendants are barred from removing the case pursuant to the one-year exception of §1446(b).

S/ Yvette Kane
YVETTE KANE, Chief Judge
Middle District of Pennsylvania

Dated: September 7, 2012